

NEW JERSEY ADMINISTRATIVE CODE
TITLE 5. DEPARTMENT OF COMMUNITY AFFAIRS
CHAPTER 10A. PROPRIETARY CAMPGROUND FACILITY HEALTH AND SAFETY
STANDARDS

Current through September 2, 2003; 35 N.J. Reg. No. 17

5:10A-1.1 Administration and enforcement

- (a) This chapter shall be administered and enforced by the Bureau of Housing Inspection.
- (b) The Bureau may authorize any municipality or county, through its appropriate housing or health agencies, to perform maintenance inspections of proprietary campground facilities for the Bureau. Any authorization to perform inspections given to any municipality or county shall incorporate the provisions of N.J.A.C. 5:10-1.3(b)1, 2, 3, 4 (with respect only to transfer of ownership), 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17i-iii and vi, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28; provided, however, that all references in incorporated provisions of N.J.A.C. 5:10-1.3(b) to "buildings" shall be deemed to refer to "proprietary campground facilities."
- (c) In order to effectively discharge its responsibility to enforce the health and safety standards set forth in this chapter, the Bureau, in accordance with N.J.S.A. 45:22A-54, shall have authority to issue cease and desist orders pursuant to N.J.S.A. 45:22A-33, to seek injunctive relief and/or appointment of a receiver pursuant to N.J.S.A. 45:22A-35, and to issue civil penalties pursuant to N.J.S.A. 45:22A-38.
- (d) All proprietary campgrounds and all owners of units within proprietary campgrounds shall comply with this chapter and with all other applicable laws, rules and ordinances of any agency or political subdivision having jurisdiction.

5:10A-1.2 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Association" means a condominium association or cooperative corporation or association that exercises control over a proprietary campground facility.

"Authorized local agency" means a county or municipal housing or health agency authorized to perform inspections for the Bureau pursuant to N.J.A.C. 5:10A- 1.1(b).

"Bureau" means the Bureau of Housing Inspection in the Division of Codes and Standards in the Department of Community Affairs.

"Proprietary campground facility" means any real property designed and used for the purpose of camping and associated recreational uses under a condominium or cooperative form of ownership.

"Units" means a campsite in a proprietary campground facility that a person or group of persons has the right to use by virtue of ownership of either a share in the association or of rights in real property subject to the control of the association.

"Wilderness campground" means a portion of a proprietary campground facility that is intended only for occasional use as an overnight tent camping site and has no permanent structures or facilities.

5:10A-1.3 Certificate of registration

(a) Within 60 days of the effective date of this chapter, each association shall file, upon a form provided by the Bureau, a certificate of registration.

(b) Each such certificate shall be accompanied by a fee of \$10.00.

(c) Each certificate shall state:

1. The name, principal office address and telephone number of the association;
2. Such description of the proprietary campground facility as will enable the Bureau to locate the same;
3. The name, address and telephone number of the president of the association or other officer having authority to make decisions concerning the management and operation of the proprietary campground facility;
4. The name, address and telephone number of the agent appointed by the association, pursuant to (f) below, for the purpose of receiving service of process and other orders or notices;
5. The name, address and telephone number of the manager who is at the facility and responsible for maintenance on a daily basis;
6. The total number of units in the proprietary campground facility and the number of units, if any, the rights to which have not yet been sold by the developer; and
7. Whether or not units in the proprietary campground facility were offered for sale in accordance with the Planned Real Estate Development Full Disclosure Act, P.L. 1977, c.419, and, if so, the date of registration by the Division of Codes and Standards (formerly Housing and Development).

(d) Upon receipt of said certificate and fee, the Bureau shall issue to the association a validated copy of the certificate of registration, which copy shall be kept posted in a conspicuous location in the office of the association.

(e) The certificate shall be in such form as may be prescribed by the Bureau.

(f) The association shall appoint an agent for the purpose of receiving service of process and such orders or notices as may be issued by the Bureau. The agent shall have an office in the State at which service may be made during normal business hours. If the agent is a corporation, it shall be licensed to do business in this State.

(g) The association shall file an amended certificate whenever any of the information contained in the certificate changes. No fee shall be charged for the filing of an amended certificate.

(h) The certificate shall be signed by an authorized representative of the association, whose name shall be typed beneath his or her signature and whose relationship to the association shall be stated.

5:10A-1.4 Inspections

(a) The Bureau, either directly or through an authorized local agency, shall inspect each proprietary campground facility annually in order to ensure compliance with this chapter.

(b) In the event that any violation of this chapter is found to exist, the Bureau or the authorized local agency shall conduct such reinspections as may be necessary in order to ensure compliance.

5:10A-1.5 Inspection fees

(a) After each inspection or reinspection conducted either by Bureau personnel or by an authorized local agency, the association shall pay an inspection fee to the Bureau.

(b) Inspection fees shall be as follows:

1. For an initial annual inspection, the association shall pay a base fee of \$100.00, plus \$1.00 per unit for each of the first 350 units and \$.50 per unit for each unit thereafter;

2. For each reinspection, the association shall pay a base fee of \$100.00, plus \$1.00 for each unit or structure requiring reinspection.

(c) When an inspection or reinspection is conducted by an authorized local agency, the Bureau shall pay 65 percent of the fee collected for the inspection or reinspection to the county or municipality to defray the costs of the authorized local agency.

5:10A-1.6 Hearings

(a) An association aggrieved by any notice or order issued by the Bureau under this chapter shall be entitled to an administrative hearing pursuant to the "Administrative Procedure Act," N.J.S.A. 52:14B-1 et seq.

(b) Hearings shall be conducted by the Office of Administrative Law and the final decision shall be issued by the Commissioner of Community Affairs.

(c) An application for a hearing shall be filed within 10 business days of receipt by the association of the notice or order complained of.

(d) Hearing applications shall be sent to the Hearing Coordinator, Department of Community Affairs, PO Box 802, Trenton, New Jersey 08625-0802.

5:10A-1.7 Construction

All construction involving buildings or structures in a proprietary campground facility, whether such buildings or structures are permanent or temporary, shall be in compliance with the State Uniform Construction Code (N.J.A.C. 5:23) and local land use ordinances and regulations.

5:10A-2.1 Duties of association

(a) It shall be the responsibility of the association to comply with all requirements set forth in this chapter.

(b) The association shall exercise its power under N.J.S.A. 45:22A-51 to require unit owners to comply with the requirements of this chapter by, if necessary, issuing notices to cease and desist from violations and instituting proceedings for eviction and termination of contractual rights.

(c) During any period in which the proprietary campground facility, or any portion thereof, is occupied, the association shall not shut down or discontinue any service, facility, equipment or utility necessary for the continued habitability of the proprietary campground facility without the consent of the Bureau or the authorized local agency.

(d) The association shall appoint a manager who shall be responsible for the maintenance of the proprietary campground facility and who shall be at the facility at least once daily during all periods in which it is occupied. The manager shall maintain the facility in accordance with this chapter and shall be responsible for the maintenance of peace and good order within the facility. The name of the manager and the location and/or telephone number at which he or she may be contacted at any time shall be posted in a prominent location at the facility, together with the locations and telephone numbers of the nearest hospital and of the emergency medical services and police and fire departments serving the facility.

(e) The association shall take such legal measures as are available to it to prevent the use of any unit within a proprietary campground facility for purposes of domicile or permanent residency, unless such use is permitted by municipal ordinance.

5:10A-2.2 Access; roads and parking areas; location

(a) Each proprietary campground facility shall be provided with convenient access for the ingress and egress of traffic from a public road.

(b) Service roads within the proprietary campground facility shall be so located and constructed as to permit convenient and safe movement of traffic. Service roads intended to accommodate all

recreational vehicles shall have a width of at least 10 feet per traffic lane and eight feet per parallel parking lane. Curves on such service roads shall have a minimum internal radius of 25 feet. Turnabouts shall be provided for all dead-end driveways over 100 feet in length; turnabouts designed for recreational vehicles shall have a minimum internal radius of 25 feet.

(c) Service roads and parking areas shall be maintained free of potholes, dust nuisance and safety hazards.

(d) No unit shall be less than 50 feet from a public road right-of-way, nor less than 10 feet from a property line between the proprietary campground facility and other property.

5:10A-2.3 Unit density, area and layout

(a) The density of units in a proprietary campground facility shall not exceed an average of 25 units per acre.

(b) Each unit may accommodate one or more structures or vehicles occupied by persons within the same party, but in no case shall the total number of overnight occupants exceed a density of 200 persons per acre.

(c) Each unit shall include a minimum of 900 square feet of space, including a parking area.

(d) Each unit shall be well-drained and laid out in such a manner as to provide sufficient open and graded space for the accommodation of a structure or vehicle used for camping purposes and shall provide parking space for an automobile that will not interfere with the convenient and safe movement of traffic.

(e) Each unit shall be marked for identification. Such markers shall be easily readable from the driveways.

(f) Natural vegetative cover and other natural features shall be retained, protected and maintained so as to facilitate drainage, prevent erosion or gulying and preserve the scenic attributes of the area.

5:10A-2.4 Fireplaces

(a) All fireplaces shall be located in safe and convenient locations where they will not constitute fire hazards to vegetation, undergrowth, trees, structures or vehicles.

(b) The Bureau or the authorized local agency may require the association to obtain documentation from the local fire official indicating compliance with (a) above.

5:10A-2.5 Water supply

(a) The water supply within the proprietary campground facility shall be adequate as to quantity and of a safe and sanitary quality and shall be from a public or private water supply system that

is constructed, protected, operated and maintained in accordance with the New Jersey Safe Drinking Water Act (N.J.S.A. 58:12A-1 et seq.), the rules adopted pursuant thereto by the Department of Environmental Protection (N.J.A.C. 7:10), and all other applicable laws, ordinances and regulations.

1. Records of compliance shall be available upon request to the Bureau or to a local agency enforcing this chapter.

(b) Where hand-pumps are provided, they shall be installed so that no unprotected opening connecting with the interior of the pump exists. The pump spout shall be of the closed downward-directed type. The hand-pump shall be bolted to a mounting flange securely fastened to the well casing. The top of the casing shall extend at least one inch above the face of the flange.

(c) A well equipped with a hand-pump shall be protected by a concrete apron, measuring at least four feet by four feet, surrounding the pump suction pipe to discharge wastewater away from the well.

(d) The connections for potable water piped to individual units shall be so installed that they will not be damaged by the parking of vehicles.

(e) No facility for filling potable water tanks shall be located less than 50 feet from a communal waste disposal location.

(f) Each communal potable water outlet shall be identified with a sign of durable material, not less than two feet by two feet, inscribed in clearly legible letters: "POTABLE WATER-NOT TO BE USED FOR FLUSHING WASTE TANKS" or words to similar effect.

(g) The potable water system shall be protected from backflow by means of a listed vacuum breaker located downstream from the last shutoff valve.

(h) The water supply system shall provide a minimum of 25 gallons per day per unit for units without individual water connections and a minimum of 50 gallons per day per unit for units with individual water connections or if water flush closets are provided in rest rooms. Where water is distributed under pressure, the water supply system shall provide a flow pressure of not less than 20, nor more than 80, pounds per square inch and a minimum flow of two gallons per minute at any outlet.

(i) There shall be no accumulations of water or muddy conditions at any water outlet.

(j) Water storage tanks shall be constructed of impervious materials, protected against contamination, and provided with locked, watertight covers. Any overflow or ventilation openings shall be downfacing and provided with corrosion resistant screening of not less than No. 24 mesh to prevent the entrance of insects and vermin. Water storage tanks shall not have direct connections to sewers.

5:10A-2.6 Sanitary facilities

(a) Toilets shall be provided at one or more locations in every campground. They shall be convenient of access and shall not be located farther than 600 feet from any unit. A minimum of one toilet shall be provided for each sex up to the first 25 dependent units. For each additional 25 or fewer units thereafter, an additional toilet for each sex shall be provided. Public toilets shall not be required if all units are required to be used only by recreational vehicles with self-contained sanitary facilities.

(b) Privies and pit-toilets shall not be permitted except for wilderness campgrounds or widely dispersed units where it would be impracticable to provide water closets.

(c) Separate toilet facilities shall be provided for males and females and shall be clearly marked.

(d) Each toilet shall be in a separate compartment and shall be provided with a door with a latch to ensure privacy. Dividing walls or partitions shall be at least five feet high and shall not be separated from the floor by a space greater than 12 inches.

(e) An adequate supply of toilet paper shall be provided in each toilet at all times.

(f) Toilets and urinals shall be maintained in a clean condition. Toilet seats shall be washed at least once daily with a disinfectant solution during the period in which the proprietary campground facility is occupied. Unless provided with an effective flushing device, urinals shall be washed daily with a disinfectant solution.

(g) Where water closets are provided, the female toilet room shall be provided with a container for the reception of sanitary napkins. The container shall be of durable, nonpervious and readily cleanable material and shall be provided with a lid.

(h) Privies and pit toilets, where allowed, shall conform to the following requirements:

1. They shall be constructed of material permitting satisfactory cleaning and shall be provided with adequate natural lighting and ventilation;

2. Doors shall be self-closing;

3. Windows, doors and vents to the outside shall be provided with fly-proof screens;

4. Each shall be provided with a watertight vault, so constructed so that flies cannot gain access to the contents thereof. The matter contained in the vault shall at all times be prevented from falling on, or spilling over upon, the surface of the ground. The vault shall not extend below the water table;

5. Each shall be provided with a seat and lid, both of which can be raised and are of smooth, durable, nonpervious material;

6. The location shall not be less than 150 feet from any well or point well, stream or lake and not less than 50 feet from any unit;

7. Lime or other deodorant substance shall be sprinkled at least once daily upon the contents of the vault;

8. The vault shall be emptied as often as may be necessary and the contents shall be disposed of by a person licensed to dispose of septage by the New Jersey Department of Environmental Protection. Proof of disposal by a person having the necessary licensure shall be maintained by the association in its principal office and shall be made available to the inspector for the Bureau or the authorized local agency upon request.

(i) New sewer lines and appurtenances in a proprietary campground facility shall be installed in accordance with the provisions of the New Jersey Water Pollution Control Act rules (N.J.A.C. 7:14) as specified by the Department of Environmental Protection. Existing sewer lines and appurtenances shall be functional.

(j) New septic systems shall be installed in accordance with the provisions of N.J.A.C. 7:9A, as specified by the Department of Environmental Protection. Existing septic systems shall be functional.

(k) No liquid wastes from sinks shall be discharged onto, or allowed to accumulate on, the ground surface.

5:10A-2.7 Water closet and shower building

(a) If either water closet or shower facilities for both males and females are housed within the same structure, they shall be separated by a sound-resistant wall.

(b) All water closet and shower building doors to the exterior shall be self-closing and shall be screened by means of a vestibule or wall to prevent direct view of the interior when the exterior doors are open.

(c) All water closet and shower building openable windows, doors and vents to the outside shall be provided with fly-proof screens.

(d) Window area of water closet and shower buildings shall be equal to at least eight percent of the floor area. Windows shall be located as high as practicable and along more than one wall whenever possible.

(e) The interior finish of such buildings shall be of moisture-resistant material that will withstand frequent washing and cleaning.

(f) The floors shall be constructed of material impervious to water and shall be skid-resistant and easily cleanable.

(g) The floors of shower rooms shall be sloped to properly trapped floor drains connected to the sewerage system.

(h) Showers shall be of the individual type and shall be visually screened from view. Each individual shower area shall be at least 30 inches long and at least 30 inches wide. For each individual shower area, there shall be an individual dressing area, visually screened from view, with a minimum floor area of 36 inches by 36 inches, which shall be equipped with at least one clothing hook and one stool or equivalent bench area.

(i) The interior finish of such buildings shall be washed and repainted as often as may be necessary to maintain them in a clean and wholesome condition. The floors shall be washed at least once daily with a disinfectant solution.

(j) Portable water closets and showers shall be prohibited in proprietary campground facilities.

5:10A-2.8 Holding tank emptying stations for camping vehicles

(a) If provided, a holding tank emptying station for camping vehicles shall be constructed and operated in conformance with the New Jersey Water Pollution Control Act Regulations (N.J.A.C. 7:14) and any other applicable laws, rules and ordinances and shall comply with the following additional requirements:

1. Each station shall be conveniently located and be accessible from the service road and shall provide easy ingress and egress for camping vehicles;

2. Each station shall be at least 100 feet from any campsite or property line and shall have an appropriate wind break against prevailing winds to reduce the migration of odors;

3. Each station shall contain an emptying trough and a means for flushing the camping vehicle holding tank and emptying through with water under pressure;

4. The emptying trough shall consist of a concrete slab at least four feet by six feet and at least five inches thick, the surface of which is trowelled to a smooth finish and sloped from each side inward to a sewer inlet;

5. The sewer inlet shall consist of a four inch self-closing foot-operated hatch of durable material with cover milled to fit tight. The hatch body shall be set in the concrete of the emptying trough with the lip of the opening flush with the surface of the trough to facilitate the cleansing of the trough with water under pressure. The hatch shall be properly connected to a sewer inlet that shall discharge to an approved sanitary sewage disposal facility;

6. The means for flushing the camping vehicle holding tank and the emptying trough shall consist of a piped supply of water under pressure terminating in a valved connection so located and installed that it will not be damaged by vehicles. The connection shall consist of a properly supported riser terminating at least two feet above the ground surface, with a 3/4 inch valved outlet to which is screwed a flexible hose terminating at a nozzle;

7. The water supply to the flushing device shall be protected from backflow by means of an approved vacuum breaker located downstream from the last shutoff valve; and

8. Adjacent to the flushing arrangement there shall be posted a sign of durable material, not less than two feet by two feet in size, containing the following inscription, or equivalent wording acceptable to the Bureau, in clearly legible letters:

"DANGER. THIS OUTLET IS NOT TO BE USED FOR DRINKING OR DOMESTIC PURPOSES."

5:10A-2.9 Storm drainage

Storm water sewers shall be separate and apart from any sewage disposal system.

5:10A-2.10 Solid waste disposal

(a) The storage, collection and disposal of solid waste shall be so managed as to prevent health hazards, rodent harborage, insect breeding, accident hazards or air pollution.

(b) All solid waste shall be stored in durable, watertight containers.

(c) When separation of solid waste is required pursuant to municipal or county regulations, separately marked containers shall be provided and appropriately identified.

(d) Unless the solid waste is collected daily, the containers shall be fly-tight and be provided with suitable fly-tight lids.

(e) Solid waste containers shall be located either at each unit or at one or more centralized locations within the proprietary campground facility.

(f) Each solid waste container shall be of sufficient storage capacity to hold all solid waste that accumulates between periods of removal from the premises.

(g) Solid waste containers shall be washed as often as may be necessary, but not less than twice weekly while the proprietary campground facility is occupied, unless solid waste is removed less frequently than twice a week, in which case the containers shall be washed after each removal.

(h) Solid waste disposal shall be done by a public entity or by a person licensed for that purpose by the Department of Environmental Protection. Documentary proof of compliance with this requirement shall be kept at the principal office of the association and shall be made available upon request to the inspector for the Bureau or the authorized local agency.

(i) Proprietary campground facilities shall be maintained free of broken glass, bottles, cans and other litter.

5:10A-2.11 Insect, rodent and weed control

- (a) Proprietary campground facilities shall be kept free from cans, jars, buckets, old tires and other articles that can hold water and provide breeding places for mosquitoes. Mosquito control measures and supplemental larvicidal measures shall be taken, as necessary, in accordance with the New Jersey Pesticide Control Regulations (N.J.A.C. 7:30).
- (b) Fly breeding shall be controlled by eliminating unsanitary practices that provide breeding places including, without limitation, repair or replacement of damaged solid waste containers that leak and removal of food wastes and other solid wastes from areas around solid waste containers.
- (c) All enclosed buildings within a proprietary campground facility shall be rodent-proofed. All storage buildings shall be maintained in such a manner as to eliminate the possibility of rodent harborage.
- (d) The growth of weeds shall be controlled so as to minimize hazards from ticks and injurious insects and from harmful plants such as poison ivy, poison oak, poison sumac and ragweed.
- (e) The application of pesticides shall be in accordance with the New Jersey Pesticide Control Regulations (N.J.A.C. 7:30).

5:10A-2.12 Electrical installations

All electrical installations shall be maintained in good operating condition and in accordance with the electrical code requirements in effect at the time of installation.

5:10A-2.13 Flammable liquids and gases

- (a) The storage and handling of flammable liquids and liquefied petroleum gases shall be in compliance with the Uniform Fire Code (N.J.A.C. 5:70).
- (b) Proof of compliance shall be in the form of documentation issued by the local fire official that shall be kept in the principal office of the association and shall be made available upon request to the inspector for the Bureau or the authorized local agency.

5:10A-2.14 Swimming and bathing

- (a) Outdoor swimming pools that contain 24 or more inches of water shall be protected by a fence, wall, building or other enclosure material so constructed as to afford no external handholds or footholds, of materials that are impenetrable by toddlers, that shall be at least four feet in height and equipped with a self-closing and self-latching closure mechanism not more than six inches below the top of the gate and provided with hardware for permanent locking.

(b) Swimming pools, hot tubs and bathing beaches shall conform to Chapter IX of the State Sanitary Code (N.J.A.C. 8:26), entitled "Public Recreational Bathing," and to all other applicable laws, rules and ordinances.

(c) Toilet facilities shall be provided in reasonable proximity to the bathing area.

5:10A-2.15 Other hazardous conditions

(a) All lands, buildings and facilities controlled by the association shall be maintained so as to be free of nuisances, unsanitary conditions and hazards to the health and safety of persons in or near the proprietary campground facility. Such nuisances, unsanitary conditions and hazards shall include, but not be limited to, the nuisances, unsanitary conditions and hazards referred to in N.J.A.C. 5:10-6.1, 6.2 and 6.4, N.J.A.C. 5:70-3.3 and N.J.A.C. 5:23-2.32.

(b) All food services and milk supply shall comply with Chapter XII of the State Sanitary Code (N.J.A.C. 8:24).

(c) The association shall take such action as may be necessary to prevent any person from creating or maintaining any nuisance, insanitary condition or hazard to public health or safety, whether or not specifically referred to in this subchapter, in any proprietary campground facility.